

32692
Customer Number

Patent
Case No.: 48317US028

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: JAPUNTICH, DANIEL A.
Application No.: 09/680465 Confirmation No.: 8753
Filed: October 6, 2000
Title: FIBROUS FILTRATION FACE MASK HAVING A NEW
UNIDIRECTIONAL FLUID VALVE

TERMINAL DISCLAIMER UNDER 37 CFR § 1.321

Mail Stop: Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF TRANSMISSION [37 CFR § 1.8(a)]
I hereby certify that this correspondence is being transmitted to United States Patent and
Trademark Office on the date shown below via the Office electronic filing system.

January 11, 2008
Date

Susan M. Dacko
Signed by: Susan M. Dacko

Dear Sir:

Petitioner, 3M Innovative Properties Company, a corporation of the State of Delaware having a place of business at 3M Center, St. Paul, MN, represents that it is the exclusive owner of the entire interest in the above-identified application (referred to as the "Subject Application") by virtue of an assignment recorded at Reel 13089, Frame 505-06, on September 17, 2007. Petitioner further represents that it is the exclusive owner of the entire interest in U.S. Patent Application 09/678,580 and U.S. Patent Nos. 7,117,868 and 7,311,104 (USSN 09/837,714) (referred to collectively as the "Prior Patent Applications and Patents") by virtue of the same assignment.

Petitioner disclaims the terminal part of any patent granted on the Subject Application (referred to as a "Subject Patent"), which terminal part would extend beyond the expiration date of the full statutory term, as defined in 35 USC §§ 154 to 156 and 173 and as presently shortened by any terminal disclaimer, of the issued Prior Patent Applications and Patents. Petitioner hereby agrees that the Subject Patent shall be enforceable only for and during such period that the legal title to such patent and the Prior Patent Applications and Patents are commonly owned. This agreement is to run with the Subject Patent and to be binding upon the grantee, its successors, or assigns.

In making the above disclaimer, Petitioner does not disclaim any terminal part of any Subject Patent that would extend to the expiration date of the full statutory term as defined in 35

USC §§ 154 to 156 and 173 of the issued Prior Patent Applications and Patents, as presently shortened by any terminal disclaimer, in the event such issued Prior Patent Applications and Patents later: (1) expires for failure to pay a maintenance fee; (2) is held unenforceable or is found invalid by a court of competent jurisdiction; (3) is statutorily disclaimed in whole or terminally disclaimed under 37 CFR § 1.321; (4) has all claims canceled by a reexamination certificate; (5) is reissued; or (6) is otherwise terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Documents establishing the chain of title of the Subject Application and of the Prior Patent Applications and Patents (including the aforementioned assignments and recording locations) have been reviewed and I certify that, to the best of my knowledge and belief, title is in Petitioner.

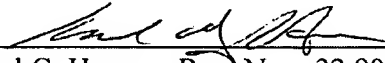
I declare that all statements made herein of my own knowledge are true and that all statements made herein on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under 18 USC § 1001 and that such willful false statements may jeopardize the validity of the above-identified application or any patent issuing thereon.

Fees

- ☒ Any required fee under 37 CFR § 1.20(d) will be made at the time of submission via EFS-Web. In the event fees are not or cannot be paid at the time of EFS-Web submission, please charge any fees under 37 CFR § 1.20(d) which may be required to Deposit Account No. 13-3723.
- ☒ Please charge any additional fees associated with the prosecution of this application to Deposit Account No. 13-3723. This authorization includes the fee for any necessary extension of time under 37 CFR § 1.136(a). To the extent any such extension should become necessary, it is hereby requested.
- ☒ Please credit any overpayment to the same deposit account.

Respectfully submitted,

1-11-2008
Date

By: 
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Office of Intellectual Property Counsel
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